App F IX 4

Previous References

(1941 / HL)

File No ~~46 HG-61~~

Serial Nos 161, 162, 163, 180

Later References

GENERAL AND REVENUE SECRETARIAT.

Serial Nos

Part B for July 42

SUBJECT

Appeal petition of Mr Abdul Khakim, Nelamangala Minor Mkty - for opening a beef stall

To,

Mr Abdul Shakur,

L 1219/29 7 42

Rejects the —

Mr D C Bangalore

L 1220/29 7 42

Forwards a copy

3917 V 119

General and Revenue Secretariat

Appeal Petition of Mr Abdul Shakur Nelamangala munc Mdly

File No 119 of 1941-42 [App F III—2

Serial No

From Mr AJ Khaleel, advocate, Bl'ore
for Mr Abdul Shakur, petitioner

Prays States that under section 55(1) of the T M Act 1933 it is the primary duty of a Mdly to maintain markets, slaughter houses etc and Prays in the circumstances that the order of the D.C Bl'ore Dist refusing to interfere with the decision of the Nelamangala muncipal Cl not to issue a license one to Mr Abdul Shakur for the opening of a beef stall which was once existing at the place may be set aside and the Council directed to grant the license

1) This may perhaps be sent to the D.C. Bl'ore Dist for a report subs with a draft O-M for offl

Kah 17/1/42

2) Im plead reference

Lawrence J
15/1/42

3) Hm 17/1/42

4) Please Do, The D C Bl'ore Dh
Lr
17/1/42

L6159 Dt 20/1/42
Calls for a report in the matter

From The D.C Bl'ore Dh
No M6-4439/41-42 Dt 24/1/42
Fwds a report on the petn, called for

SECY L... 491 16 JAN 1942 GOVT OF MYSORE

17 JAN 1942 REV SECTION

SwsA 21/1/42

NOTE—Contn sheet

WD 04155—G1B—55 000—23 10 41

117 Appeal Petition of Mr Abdul Shakoor
of Nelamangala town 117

File No 117 of 1941 — General and Revenue Secretariat

Serial No

2) It is stated that there was a beef stall at the place which was abolished in the year 1922 as a result of the objection taken by certain muslim residents to the method of slaughtering which was not in accordance with their religious rites.

3) On the agitation of the petitioner and some other muslim residents, the question of granting a license for the opening of a beef stall was considered by the Mal Council on 29/5/41 and it was resolved that the license may not be granted, although the muslim members of the municipal Council were in favour of granting the license.

4) The petitioner appealed against to the D.C. against the decision of the Mal Council and the petition was rejected as 'K' there were no sufficient grounds for any such interference as most of the people of Nelamangala were against the grant of the license

5) Now the petitioner has preferred an appeal against the order of the D.C rejecting the petition

6) Submitted for orders if the petition may be rejected for want of good grounds

4/7 95/6

7) The report received from the D.C. is now put up for perusal. The Mal Council has refused to grant the license for the

Appeal petn of Mr Abdul Shakur (3
Nelamangala
117

General and Revenue Secretariat — File No 119 of 1941 — [App. F III-2

Serial No

Opening of abeef stall the
D.C has on appeal, rejected
the application, after personal
investigation. There is no
provision in the terms of this Act
for the Govt to interfere in a case
of this kind. The petition will
therefore be rejected, if approved

Law 6/7/42

8) May be rejected
Asst Sec'y G 17-7-42

Draft for
23-7-42

Draft forwarded
23-7-42

Draft endorsement submitted
Asst 24/7

Issue
24-7-42

To,
Mr Abdul Shakur
C/o Mr A J Khaleel B.A. B.L.
Advocate
Bangalore

L 1219 29-7-42

Rejects the petition as
copy to the D.C. Bangalore

NOTE—Cont Sheet

180

By 1/8/42

OFFICE OF THE REGISTER
FOR L S G & P H
Date 20 7 42
No 696

LNG
250 DEPT
1 1942
GOVT OF MYSORE

File No of 194

General and Revenue Secretariat

Serial No

ACL 119-41-161

Mr BSR
Call for report

COURT FEE TWO RUPEES

JFN & REV SECTN
7 JAN 1942
3917
L S G BRANCH

Before the Government of His Highness the Maharaja of Mysore, Bangalore, L S G Department

Petition No of 1941-42

Petitioner - Abdul Shakur, a muslim resident of Nelamangala, Bangalore District

Under Sections 194 (2), 200 and 207 of the Town Municipalities' Act, the petitioner above named begs to prefer this appeal against the order of the learned Deputy Commissioner of Bangalore District refusing to interfere and direct the Council to grant a license to open a beaf stall which was once existing but closed at the request of the muslims for the following among other grounds -

1 The learned Deputy Commissioner failed to notice that it is the primary duty of the municipality under Section 55 (1) to maintain markets, slaughter-houses etc and erred in coming to the conclusion that the municipality is not obliged to grant a license

2 That the grant or refusal to issue licenses for the food stuffs to be sold necessary for the public use should not depend upon the whims and fancies of the cit, fathers who forget to do their duties as city-fathers but as partisans belonging to a particular community whose customs, traditions etc are contrary to those of their compatriots who belong to the opposite school of thought

3 Even though the municipal councillors have failed to discharge their duties properly the learned

Deputy Commissioner has tolerated the same to the disadvantage of the other residents of the locality

It is respectfully prayed that the Government may kirdly be pleased to interfere and rectify the wrong done to the poor Muslims of Nelamangala by the Councillors in turning down the resolution dated 29-5-41 for which act of kindness the petitioner ever prays

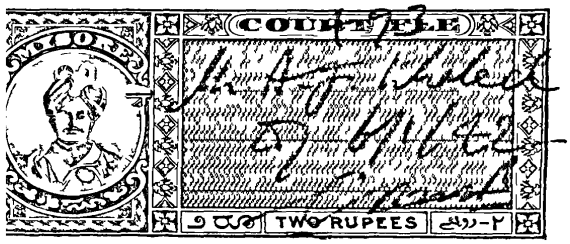
Bangalore,
6-1-1942

P J Khaleef
Advocate for Petitioner

Enclosures —
1) Certified copy of the order passed by the Deputy Commissioner dated 2/6/41 — No M6-L Dis 1160/41-42
2) Certified extract of the proceedings of the Municipal Council Nelamangala dated 28-2-21
3) —Do— dated 30-3-41
4) —Do— dated 29-5-41

P J Khaleef
Advocate

3



In the Court of the Before H. H. the Maharaja's Munsiff Bangalore

BANGALORE

Petn No OF 1941 —1942

Appellant
~~*Plaintiff*~~
Petitioner
Abdul Shakur

Vs

Respondent
Defendant
~~*Opponent*~~

I the petitioner above named do by these presents, retain Messrs **A J KHALEEL** BA, BL, and **N S NARAYANA RAO,** BA, LL B Advocates, to appear and conduct the above case on my behalf to judgment

2 I further empower them to appear, plead, enter into compromise and do all necessary acts in the above case to execute any decree or order that may be passed in my behalf, to prefer an appeal from any order, judgment and to receive from the Court all documents refunds and all sums of money that I may be entitled to get and grant receipts therefor

3 I also undertake to confirm and ratify all the acts done by any of the said Advocates or by any other Advocate or Pleader on their behalf in so doing

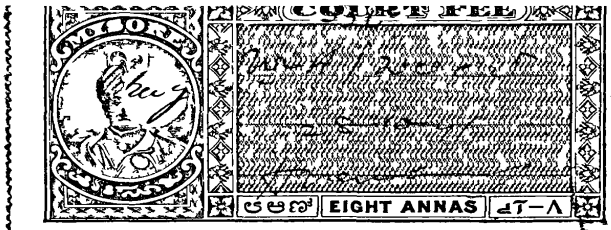
4 I further agree that if I fail to pay the fees agreed upon or to give due instructions at proper stages they are at liberty to retire from the case

BANGALORE,
6/4/1941

(Sd) Abdul Shakur
Accepted

Personally known to me and signed in my presence

A J Khaleel
Advocates



Copy prepared on the application dated 28/10/41 by Mr. A G Khaleel, Advocate for the petitioners praying for the grant of a copy of order passed in M & L Dis 116 of 41-42 by the Deputy Commissioner, Bangalore District

Reference - Petition by Abdul Shakur and other muslim residents of Nelamangala Town

Subject - Regarding the issue of a license for the opening of beef Stall at Nelamangala Municipality by cancellation of Municipal Resolution

Order

I made enquiries where I was at Nelamangala last month Most of the people are against the grant of a license for a beef Stall the Municipality is not obliged to grant a license for this I do not see sufficient reasons to interfere with the decision of the Council

C

The petitioners may be informed that I do not see ground for interference

(Sd) M Sadashiva,
Deputy Commissioner
2/11/41

Copy applied on:- 28/10/41
Copy ready on:- 8/11/41
Copy delivered on:- 8/11/41
Number of Words:- 110
Copying Fee - 0-4-0
Comparing Fee:- 0-1-0
Copied by:- T. Bheta Rao
Compared by Upputuri Ranga

Copy
By order
Deputy Shirastedar
8/11/41
Deputy Commissioners
Office, Bangalore

An extract from the proceedings of the meeting of the Municipal Council, Nelamangala, held on 28th February 1921.

× × ×

× × ×

IV. Subject – ಬೆಲವುಂಗಲದಲ್ಲಿ, ಹಾಲಯಲು ಮ
ಸಾಯಕಾಗಿಯೂ ಉಂಗಲ, ಸಂಯೋಗವಿಯುಕ್ತ
ಲ್ಲಿ ಹಾಗಿಯೂ, ಶ್ರೀಮಿಗೆ ಕಾರಣ ಮಾಡುವಲ್ಲಿ ಹಾಕಿಯೂ
ವಳಲ್ಲಿ ಎಂದೂ ಶ್ರೀವಲ್ಲಿ ಗಿಯಂತ, ಮು
ಹಾಗೂ ಸಂಗಳಲ್ಲಿ ಲಿಯಂದ ವಂ ಮಾಡಿಸಿ ಗಿಯ
ಗಿಯೂಂದಿರೂ, ಮಸ್ಥಿಗಿಯೂಂದಿ, ಮುಗಿಲ್ಲಿ ಗಿ
ಮಾಡುವಲ್ಲಿ ಮು ಸ್ಥಾಂಡ ಹಾಗಿ ಸಂಗಿ ಮು ತಗ್ಗಿಂದಿ
ಗಿಯುವಲ್ಲಿ ಮು ಸಾಗಿಯಲ್ಲಿ ಮು ಮಾಡಿಸಿ ಮು ಮಾಡಿಸಿ

Resolution – ಅಲಿಯಲ್ಲಿ ಗಿಯೂಂದಿಯಲ್ಲಿ ಸಂ
ಗಿಯಲ್ಲಿ ಮಾಡಿಸಿ ಹಾಗಿಯೂಂದಿಯೂಂದಿ, ಈ
ಉಂಗಲ ಗ್ರಾಮ ಕಾಲಿಯೂಂದ ಹಾಗಿಯಲ್ಲಿ ಮಾಡಿಸಿ,
ಗಿಯಲ್ಲಿ ಮಾಡಿಸಿ ಮಾಡಿಸಿ ಮಾಡಿಸಿ ಮಾಡಿಸಿ, ಮಾಡಿಸಿ
ಸಂಗಳಿಸಿಯೂಂದಿಗೆ ಮಾಡಿಸಿ ಮಾಡಿಸಿ ಮಾಡಿಸಿ
ಮಾಡಿಸಿ, ಮಾಡಿಸಿ ಮಾಡಿಸಿ ಮಾಡಿಸಿ ಮಾಡಿಸಿ
ಮಾಡಿಸಿ ಮಾಡಿಸಿ, ಮಾಡಿಸಿ ಮಾಡಿಸಿ ಮಾಡಿಸಿ, ಮಾಡಿಸಿ
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× × × ×

× × × ×

(Sd) K Shama Iyengar,
ML President,
Nelamangala
Date 28/2/21

"Extract"

C Ramachandra
President,
Municipal Council
Nelamangala
30/5/41

An extract from the proceedings of the meeting of the Municipal Council, Nelamangala, held on 30th March 1941 at the Town Municipal Office

× × × × ×

VI Subject - ಹಾಲಿ ಅವಶ್ಯಕವಾಗಿರುವ ಕೆಲಸಗಳ ಬಗ್ಗೆ ಮತ್ತು ಅಭಿವೃದ್ಧಿಯ ದೃಷ್ಟಿಯಿಂದ, ಸಿಂಪಾಡಿಸಿರುವ ಸ್ಥಳಗಳಲ್ಲಿ ಮಾತ್ರ ಸಿಂಪಾಡಿಸಲು ಮಂಜೂರಾಗಿರುವ ಹಣವನ್ನು ಉಪಯೋಗಿಸಿ ಕೊಳ್ಳುವ ಬಗ್ಗೆ ಮತ್ತು ಇತರ ವಿಷಯಗಳ ಬಗ್ಗೆ ಚರ್ಚಿಸಲು ಈ ಸಭೆಯನ್ನು ಕರೆಯಲಾಗಿದೆ.

Resolution - After a prolonged discussion it was resolved that the subject may be brought up, for next meeting with all the previous records, resolutions etc

× × × × ×

(Sd) M O Rahmanthan,
President,
Municipal Council,
Nelamangala
30/3/1941

"Extract"

C Narasimhaiah
for President
Municipal Council
Nelamangala
30/5/41

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No 6159/Ex-Rev only *Dated Bangalore,* 20th January 1942

Official Memorandum

The accompanying appeal Petition in original Registered No.3917/L dated 6th January 1942 received at the General and Revenue Secretariat from Mr.A.J.Khaleel, Advocate, Bangalore on behalf of one Mr.Abdul Shaker of Nelamangala praying that the orders of the Deputy Commissioner, Bangalore District refusing to interfere with the decision of the Nelamangala Minor Municipal Council not to grant a license to the petitioner for the opening of a beef stall at the place, may be set ~~xxx~~ aside and the license granted etc, is forwarded together with its enclosures with compliments to the Deputy Commissioner, Bangalore District for an early and detailed report.

2. The petition and its enclosures may be kindly returned with the report.

By Order,

For Secretary to Government,
Law Department.

mk 2

WD 03623—GPB—3 750—6 8 35

App F G 9]

GOVT OF H H THE MAHARAJA
OF MYSORE

GEN & REV SECRETARIAT

RL 119-ept-162

OFFICIAL MEMORANDUM

No 16159/Ele in Sikaripura original

The accompanying Petition Registered

No 3917/L dated 6/1942

received at the General and Revenue Secretariat from Mr A J Khaleel, advocate B'lore on the behalf of one Mr Abdul Shakur of Nelamangala praying that the order of the D.C B'lore Dist refusing to interfere with the decision of the Nelamangala municipal council not to grant a license to the petitioner for the opening of a beef Stall at the place, may be set aside and the license granted, is forwarded together with its enclosures to the H/C to the D C B'lore for an early and detailed report

for

2 Mr petitioner his enclosures may be kept returned with the report

By Order,

For Secretary to Govt
Law Dept

BANGALORE,
20th January 1942

[P T O

H. Cy Mr. G Ramachandra Rao

Govt 15/1

15/1/42

WD 03623—G1 B—3 750—6 8 3

GOVERNMENT OF MYSORE

Tele gram / phone

No M 6-4439/41-42.
Encls one file.

OFFICE FO

The Deputy Commissioner,
Bangalore District,
Bangalore

Date 2nd July 1942.

To

A. SUNDARA RAJA RAO ESQ., B.A., B.L.,
Secretary to Government,
Law Department, Bangalore.

Subject Appeal petition from Mr Abdul Shakoor and others re the rejection of the licese for the opening of Beef Stalls at Nelamangala Municipality - forwards report on the -

With reference to your official memorandum No L 6159 dated 20-1-1942 on the above subject, I have the honour to state as follows

2. There was a licensed Beef Stall at Nelamangala Municipality previously. On the objection of the Muslim residents stating that the slaughtering was not done as per their religious rites, etc., the license was cancelled on the unanimous resolution of the Municipal Council as far back as 28-2-1921. From that date onwards no fresh license was issued as the Municipal Council were not in favour of that proposal There were nevertheless some agitations from some of the Muslims, mostly Beef butchers of Bangalore, for licensing of the Beef Stall at Nelamangala

3. The subject came up before the Municipal Meeting held on 29-5-41 and the Council resolved by a majority that the license may not be granted. The petitioner appealed to this Office against the above decision of the Municipal Council under Sec. 36 of the Minor Municipalities Act of 1933. It was urged that the resolution of the Municipal Council was contrary to law and usual practice and that the members who voted against the motion were all Hindus guided by religious feeling

4. The predecessor in office, after making local enquiries came to the conclusion that as most of the people of Nelamangala were against the grant of licese for a Beef Stall, the Municipality was not obliged to grant a license for a Beef Stall and ordered on 2-10-41 that he did not see sufficient reasons to interfere with the decisions of the

- -

Council (Flag A) (vide this office [illegible] dated 17-10-41). The petitioners were clearly in [illegible] were no grounds for interference. It is [illegible] ore up in appeal before Government

5. The connected records along with the [illegible] reference are enclosed for favour of reference.

I have the honour to be,
Sir,
Your most obedient servant,

[signature]
[illegible] Collector,
[illegible] District.

VSP/-2-7.

Appendix F G—1]

SUBJECT

Diary No of letter replied to

General and Revenue Secretariat

( )

the *19*

Date of issue 29/7/62

Signed by

List of enclosures

Copied by

Examined by

3 Copies ✓ Section ML

L 1219 File No 119—62

Serial No 180

Endorsement granted

No

To Mr Abdul Shukur
Nelamangala Town
C/o Mr A J Khaleel B.A.-B.L.
advocate, Bangalore

With Refee to his ~~letter~~ appeal
letter dated 6/1962 appealing
against the orders of the Dy Comm'r,
Bdore Dist refusing to interfere
with the decision of the Nelamangala
Munsif and council in the
matter of granting him a license for
opening a beef stall at the
place he seeks and
necessary redress given, the Hr
Appellant Shukoor
petitioner is informed that
Govt see no reason to interfere
in the matter and the Revision Petn
accordingly
Petition is rejected

By order

for Secretary to Govt
Law Deptt.

WD 086—GPB—40 000— 30 7 40

P.T.O

Memo No C 1220 dy 29/7/42

Copy of the above is forwarded with
Compliments to the Deputy Commr, B'lore Dn
for information
With refce to his letter No M6-4439/41-42 dy 27.7.42
for information. The records are returned herewith

By order

For Secry to Govt
Dan Depty

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

D.O No L 1/29 / Jul 119-41-180

Dated Bangalore 29th July 1942.

ENDORSEMENT. Granted

To

Mr. M. Abdul Shukur,

Nelamangala, C/O. Mr. A.J. Khaleel, B.A., B L.,

Advocate, Bangalore City.

With reference to his petition dated 6th January 1942 appealing against the orders of the Deputy Commissioner, Bangalore District refusing to interfere with the decision of the Nelamangala Minor Municipal Council, in the matter of granting him a license for opening a beef stall at the place, Mr. Abdul Shukur is informed that Government see no reason to interefere with orders passed with the Deputy Commissioner, Bangalore District in the matter. His petition is accordingly rejected.

By Order,

Sd. C. Narayanaswamy Naidu

Secretary to Government,
Law Department.

Agl./3.

Memo No L 1220 Dated, Bangalore the 29th July 1942.

Copy of the above is forwarded with compliments to the Deputy Commissioner, Bangalore District for information with reference to his letter No.M6.4439/41-42 dated 2nd July 1942.

The records are returned herewith

By Order,

For Secretary to Government,
Law Department.